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FORM PTO-1390 REV. 5-93

US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEYS DOCKET NUMBER P99,2625

TRANSMITTAL LETTER TO THE UNITED STATES **DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371** 

U.S.APPLICATION NO. (if kn CFR 1.5)

09/44579

PRIORITY DATE CLAIMED 5 July 1997

INTERNATIONAL APPLICATION NO. PCT/EP98/04036

INTERNATIONAL FILING DATE 26 June 1998

TITLE OF INVENTION

"ABSORPTION OF MINERALS BY INTESTINAL CELLS"

APPLICANT(S) FOR DO/EO/US

Dominique Brassart and Elisabeth Vey

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1 ⊠ □ 2...⊠ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.

This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.

This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay.

A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority 4🗓 □ M date.

. 5<u>.</u> ≥ A copy of International Application as filed (35 U.S.C. 371(c)(2))

is transmitted herewith (required only if not transmitted by the International Bureau) a. ⊠

b. 🗆 has been transmitted by the International Bureau.

is not required, as the application was filed in the United States Receiving Office (RO/US) c. 🗆

A translation of the International Application into English (35 U.S.C. 371(c)(2).

Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3))

are transmitted herewith (required only if not transmitted by the International Bureau). a. 🗆

. have been transmitted by the International Bureau. b. 🗆

have not been made; however, the time limit for making such amendments has NOT expired. c. 🗆

have not been made and will not be made.

A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 8. 🗆

An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unexecuted) 9. ⊠

A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 10. 🗆

371(c)(5)).

Items 11, to 16, below concern other document(s) or information included:

An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; (PTO 1449, Prior Art, Search Report). 11. 🗆

An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included. 12. 🗆

A FIRST preliminary amendment. 13. 🗆

A SECOND or SUBSEQUENT preliminary amendment.

14. 0 A substitute specification.

15. 🗆 A change of power of attorney and/or address letter.

16. ⊠ Other items or information:

EXPRESS MAIL #EL 428 568 115 US, dated December 10, 1999.

17. 2 The following fees are submitted:   BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(11-(5): Search Report has been prepared by the EPO or JPO	U.S.APPLICATION NO. (if known, see 37 C.F.R. 1.5)			INTERNATIONAL APPLICATION NO. PCT/EP98/04036		9,2625		
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(11)-(5): Search Report has been prepared by the EPO of JPO   \$840.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO (37 C.F.R. 1.482) more international search fee (37 C.F.R. 1.4484) alough the search fee (37 C.F.R. 1.4484) alough to USPTO (37 C.F.R. 1.482) and alough the search fee (37 C.F.R. 1.4484) alough the search fee (37 C.F.R. 1.44844) alough the search fee (37 C.F.R. 1.44844) alough the search fee (37 C.F.R. 1.448444) alough the search fee (37 C.F.R. 1.448444) alough the search fee (37 C.F.R. 1.4484444) alough the search fee (37 C.F.R. 1.4484444) alough the search fee (37 C.F.R. 1.448444444) alough the search fee (37 C.F.R. 1.448444444444444444444444444444444444	<del></del>	es are submitted:				CALCULATIONS	PTO USE ONLY	
Neither international periliminary commission to USPTO (37 C.F.R. 1.445(a)(12)   Second 1 (12)	BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO							
International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 39(2)-(4) \$9.80.00  ENTER APPROPRIATE BASIC FEE AMOUNT = \$840.00  Surcharge of \$130.00 for furnishing the oath or declaration later than □ 20 □ 30 months from the partiest claimed priority date (37 C.F.R. 1.482(a)).  Total Claims   Number Filed   Number   Rate   Extra   Rate	No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO (37 C.F.R. 1.445(a)(2) \$760.00							
ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 840.00  Surcharge of \$130.00 for furnishing the catch or declaration later than □ 20 □ 30 months from the saffiest claimed priority date (37 C.F.R. 1.492(e)).  Citatins   Number Filled   Number   Rate   Extra    Total Claims   10	Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2) paid to USPTO							
Surcharge of \$130.00 for furnishing the cath or declaration later than     20   30 months   \$	International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)							
Surcharge of \$13.0.00 for furnishing the English translation later than   20   30 months						\$ 840.00		
Extra   Extr	Surcharge of \$130.00 for furnishing the oath or declaration later than   20   30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					\$		
Total Claims  10 - 20 = 0		Number Filed			Rate			
Multiple Dependent Claims \$260.00 + \$  TOTAL OF ABOVE CALCULATIONS = \$840.00  Reduction by % for filing by small entity, if applicable. Verified Small Entity statement must also \$  SUBTOTAL = \$840.00  Reduction by % for filing by small entity, if applicable. Verified Small Entity statement must also \$  SUBTOTAL = \$840.00  Reduction by % for filing by small entity, if applicable. Verified Small Entity statement must also \$  SUBTOTAL = \$840.00  Reduction by % for filing by small entity, if applicable. Verified Small Entity statement must also \$  SUBTOTAL = \$840.00  Reduction by % for filing by small entity, if applicable. Verified Small Entity statement must also \$  SUBTOTAL = \$840.00  Fee for recording the enclosed assignment (37 C.F.R. 1.492(n)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property + \$840.00  TOTAL FEES ENCLOSED = \$840.00  Amount to be \$  refunded \$  charged \$  a.   A check in the amount of \$ 840.00 to cover the above fees is enclosed.  b.  Please charge my Deposit Account No. in the amount of \$ to cover the above fees.  A duplicate copy of this sheet is enclosed.  c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-2290. A duplicate copy of this sheet is enclosed.  NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not began-met, a partition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.  SEND ALL CORRESPONDENCE TO:  Hill & Simpson  A Professional Corporation  Stin Hoor Sears Tower  Chicago, Illinois 60606	<b>;</b>	10	- 20 =	0	X \$ 18.00	\$		
TOTAL OF ABOVE CALCULATIONS = \$ 840.00  Fineduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also \$  SUBTOTAL = \$ 840.00  SUBTOTAL = \$ 840.00  SUBTOTAL = \$ 840.00  SUBTOTAL = \$ 840.00  TOTAL NATIONAL FEE = \$ 840.00  Fee for recording the enclosed assignment (37 C.F.R. 1.492ff)).  TOTAL NATIONAL FEE = \$ 840.00  Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property + \$  TOTAL FEES ENCLOSED = \$ 840.00  Amount to be refunded charged \$  a. Ø A check in the amount of \$ 840.00 to cover the above fees is enclosed.  b. □ Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.  c. Ø The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-2290. A duplicate copy of this sheet is enclosed.  NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not began and the sheet is enclosed.  SEND ALL CORRESPONDENCE TO: SKÄNATURE  Hill & Simpson A Professional Corporation 85th Floor Sears Tower Chicago, Illinois 60606  30,142	1 authors	3	- 3 =	0	X \$ 78.00	\$		
TOTAL OF ABOVE CALCULATIONS = \$ 840.00    Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also \$	100000					\$		
SUBTOTAL = \$ 840.00    Substance						\$ 840.00		
SUBTOTAL = \$840.00    Substance	Reduction by ½ for filing by small entity, if applicable. Verified Small Entity statement must also					\$		
Second   130,00 for furnishing the English translation later than   20   30 months   1	SURTOTAL =					\$ 840.00		
TOTAL NATIONAL FEE = \$ 840.00  Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property + TOTAL FEES ENCLOSED = \$ 840.00    Amount to be refunded   \$ 40.00   \$ 40.00   \$ 40.00   \$ 40.00   \$ 40.00   \$ 60	Processing fee of \$130.00 for furnishing the English translation later than  20 30 months					\$		
accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +  TOTAL FEES ENCLOSED = \$840.00  Amount to be refunded charged \$  a.   A check in the amount of \$840.00 to cover the above fees is enclosed.  b.   Please charge my Deposit Account No. in the amount of \$10 to cover the above fees. A duplicate copy of this sheet is enclosed.  C.   The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-2290. A duplicate copy of this sheet is enclosed.  NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met; a patition to revive (37 C.F.R. 1.137(a) or (b)) must be filled and granted to restore the application to pending status.  SEND ALL CORRESPONDENCE TO:  SKINATURE  Robert M. Barrett  NAME  And Chicago, Illinois 60606						\$ 840.00		
TOTAL FEES ENCLOSED = \$840.00  Amount to be refunded charged \$  a.   A check in the amount of \$840.00 to cover the above fees is enclosed.  b.   Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.  c.   The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-2290. A duplicate copy of this sheet is enclosed.  NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a patition to revive (37 C.F.R. 1.137(a) or (b)) must be filled and granted to restore the application to pending status.  SEND ALL CORRESPONDENCE TO:  Hill & Simpson  A Professional Corporation  85th Floor Sears Tower  Chicago, Illinois 60606	Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +							
a.   A check in the amount of \$ 840.00 to cover the above fees is enclosed.  b. Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.  c.   The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-2290. A duplicate copy of this sheet is enclosed.  NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filled and granted to restore the application to pending status.  SEND ALL CORRESPONDENCE TO:  SIGNATURE  Hill & Simpson  A Professional Corporation  85th Floor Sears Tower  Chicago, Illinois 60606						\$ 840.00		
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Filed and granted to restore the application to pending status.  SEND ALL CORRESPONDENCE TO:  SIGNATURE  Hill & Simpson  A Professional Corporation  85th Floor Sears Tower  Chicago, Illinois 60606  30,142	overpayment to Deposit Account No. <u>08-2290</u> . A duplicate copy of this sheet is enclosed.							
Hill & Simpson  A Professional Corporation  85th Floor Sears Tower Chicago, Illinois 60606  30,142	NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.							
A Professional Corporation  85th Floor Sears Tower Chicago, Illinois 60606  30,142	SIĞNATURE							
85th Floor Sears Tower Chicago, Illinois 60606	Dubunt M. Donott							
30,142	85th Floor Sears Tow	er	_	NAME				
Registration Number			-	30,142 Registration Nu	mher			

420 Rec'd F /PTO 1 0 DEC 1999

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Brassart et al.

ATTY. DOCKET NO.: P99,2625

**SERIAL NO:** 

Unknown

FILED:

Herewith

**INVENTION:** 

"ABSORPTION OF MINERALS BY INTESTINAL CELLS"

**Assistant Commissioner for Patents** 

Washington, D.C. 20231

## **CERTIFICATE OF MAILING BY EXPRESS MAIL**

Sir:

I hereby certify that the following documents relating to the above-identified application were deposited in the United States Postal Service Express Mail "Post Office to Addressee" on December 10, 1999:

- 1. Transmittal Letter to the United States Designated/Elected Office (in duplicate);
- 2. Copy of the Published PCT Application;
- 3. Declaration and Power of Attorney form (2 pages);
- 4. Check for \$840.00; and
- 5. Return Receipt Postcard.

Signature of person mailing Express Mail

December 10, 1999

Express Mail Label No. EL 428 568 115 US